

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Action mailed 9 April 2003 (Paper No. 8). Claims 11-13 were pending. Claim 11 has been amended herein. Claim 12 has been cancelled without intending to abandon or to dedicate to the public any patentable subject matter. Accordingly, following entry of the foregoing amendments, Claims 11 and 13 will be pending. As set forth more fully below, reconsideration and withdrawal of the Examiner's rejections of the claims are respectfully requested.

Objection to the Specification

The Examiner has objected to the Specification because of the informality of photocopy marks. Applicants submit herewith a substitute specification having no stray marks outside of the typewritten text and containing an added section on page 1 entitled "CROSS REFERENCE TO RELATED APPLICATIONS." Applicants have also included a marked up version of the substitute specification to show the changes made as per 37 CFR § 1.125. Applicants submit that no new matter has been added to this substitute specification.

Claim Rejections Under 35 U.S.C. § 102

The Examiner has rejected Claims 11-13 under 35 U.S.C. § 102(b) as being anticipated by European Patent Application No. 0626177A2 (Cope). Cope teaches the production of an enteral nutritional product containing a soy protein hydrolysate and a source of intact protein and fatty acids. Cope does not teach the production of an enteral product from a soy protein and/or lipid isolate that has not been delipidated nor extracted in an organic solvent. Thus, Cope does

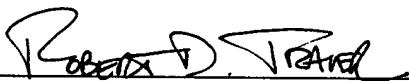
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not anticipate the currently pending claims, as amended. Applicants therefore respectfully request the Examiner's rejection under 35 U.S.C. § 102(b) be withdrawn.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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